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9	BEFORE THE
10	BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS
11	STATE OF CALIFORNIA
12	In the Matter of the Accusation Against: Case No. 2013 -930
13	ANGEL MARIE PARKER;
14	a.k.a. ANGEL M. PARKER; a.k.a. ANGEL MARIE PENNINGTON; A C C U S A T I O N
15	1260 Havenhurst Dr. #110 West Hollywood, CA 90046
16	Registered Nurse License No. 590438
17	Respondent.
19	Complainant alleges:
20	<u>PARTIES</u>
21	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22	official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23	Consumer Affairs.
24	2. On or about October 29, 2001, the Board of Registered Nursing issued Registered
25	Nurse License Number 590438 to Angel Marie Parker, a.k.a. Angel M. Parker, a.k.a. Angel Marie
26	Pennington (Respondent). The Registered Nurse License was in full force and effect at all times
27	relevant to the charges brought herein and will expire on February 28, 2015, unless renewed.
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JURISDICTION

- 3. This Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.
- 4. Code section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Code section 2764 provides that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

STATUTORY PROVISIONS

- 6. Section 2761 of the Code states in relevant part(s) that he board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:
 - (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.
- (d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter or regulations adopted pursuant to it.
- (e) Making or giving any false statement or information in connection with the application for issuance of a certificate or license.

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COST RECOVERY

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case, with failure of the licentiate to comply subjecting the license to not being renewed or reinstated. If a case settles, recovery of investigation and enforcement costs may be included in a stipulated settlement.

REGULATORY PROVISIONS

8. California Code of Regulations, title 16, section 1419 (d), states that "as a condition of renewal, an applicant for renewal shall disclose on the renewal from whether, since he or she last renewed his or her license, he or she has had a license disciplined by a government agency or other disciplinary body. Discipline includes, but is not limited to, suspension, revocation, voluntary surrender, probation, reprimand, or any other restriction on a license held."

FIRST CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline) (Bus. & Prof. Section 2761, subd. (a)(4))

9. Respondent is subject to disciplinary action under Code section 2761, subdivision (a)(4), in that on or about March 19, 2012, the Arizona State Board of Nursing (Arizona Board) made Findings of Fact, Conclusions of Law, and thereon issued a Consent Agreement subjecting Respondent's nursing license to probation with terms for a period of no less than twenty-four (24) months. The circumstances underlying the Arizona Board's actions are that between May 1, 2010, and May 31, 2010, while Respondent was employed as a Registered Nurse with Banner Del Webb Medical Center (Medical Center), Respondent was found to have 14 recorded instances of removing medications from the Medical Center's Pyxis dispensing system, to wit: Morphine, Lorazepam, Alprazolam, Temazepam, Midozalam, Fentanyl, Oxycodone and Fioricet, but failed to document that the medications were administered, wasted, or returned to Pyxis.

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SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct – False Statement) (Bus. & Prof. Section 2761, subd. (a), (d) and (e))

10. Respondent is subject to disciplinary action under Code section 2761, subdivisions (a), (d) and (e), pursuant to California Code of Regulations, Section 1419, subdivision (d), in that on or about December 28, 2012, Respondent indicated on the Board's computerized renewal form that she had not had any license disciplined by a government agency since the license was last renewed. In fact, Respondent's license to practice nursing in the State of Arizona had been disciplined as set forth in paragraph 9, above.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License Number 590438, issued to Angel Marie Parker, a.k.a. Angel M. Parker, a.k.a. Angel Marie Pennington;
- 2. Ordering Angel Marie Parker, a.k.a. Angel M. Parker, a.k.a. Angel Marie Pennington, to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
 - 3. Taking such other and further action as deemed necessary and proper.

DATED: APRIL 18, 2013

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LOUISE R. BAILEY, M.ED., RN

Executive Officer

Board of Registered Nursing Department of Consumer Affairs

State of California

Complainant